



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

MILLER et al

Serial No.: 10/082,989

Filed: February 26, 2002

Confirmation No.: 7048

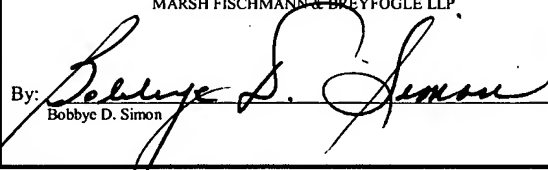
Atty. File No.: 45568-00020

For: "METHOD AND SYSTEM FOR  
EXTERNAL ASSESSMENT OF  
HEARING AIDS THAT INCLUDE  
IMPLANTED ACTUATORS"

) Group Art Unit: 2644  
)  
)

) Examiner: JACOBSON, Tony M.  
)  
)

) **SUPPLEMENTAL INFORMATION**  
) **DISCLOSURE STATEMENT**  
)  
)

<p style="text-align: center;"><u>CERTIFICATE OF MAILING</u></p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VA. 22213-1450 ON <u>JULY 17, 2003</u>.</p> <p style="text-align: center;">MARSH FISCHMANN &amp; BREYFOGLE LLP</p> <p>By:  Bobby D. Simon</p>
--

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22213-1450

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**JUL 23 2003**

Technology Center 2600

Dear Sir:

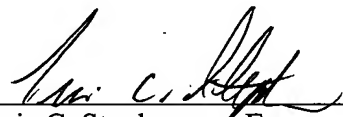
Pursuant to Applicant's duty of disclosure under 37 C.F.R. §1.56, Applicant hereby submits this Supplemental Information Disclosure Statement with a copy of the documents identified on the enclosed PTO Form 1449, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified patent application.

Also enclosed is a Statement Under 37 C.F.R. 1.97(e)(1) Accompanying Information Disclosure Statement. While Applicant believes no fees are due in connection herewith, please charge any fees necessary under 37 C.F.R. 1.17(i) to Deposit Account No. 50-1419.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By:

  
Travis C. Stephenson, Esq.  
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Telephone: 720/562-5501

Date: July 17, 2003

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

Docket No. **#4**  
45568-00020

In Re Application Of: MILLER et al

JUL 21 2003

Serial No.  
10/082,989

Filing Date  
February 26, 2002

Examiner  
JACOBSON, Tony M.

Group Art Unit  
2644

Invention: "METHOD AND SYSTEM FOR EXTERNAL ASSESSMENT OF HEARING AIDS  
THAT INCLUDE IMPLANTED ACTUATORS"

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TO THE COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:


Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Dated: July 17, 2003

  
Signature  
Travis C. Stephenson, Esq.  
Registration No. 45,132  
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Signature of Person Mailing Correspondence

Bobbye D. Simon

Typed or Printed Name of Person Mailing Correspondence

CC:

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

JUL 21 2003

Docket Number (Optional)

45568-000

Application Number

10/082,989

Applicant(s)

MILLER et al

Filing Date

February 26, 2002

Group Art Unit

2644

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	a.	6,342,035	01/29/2002	Kroll et al	600	25	
	b.	6,154,023	11/28/2000	Durand	324	117 R	
	c.	6,077,215	06/20/2000	Leysieffer	600	25	
	d.	5,997,466	12/07/1999	Adams et al	600	25	
	e.	3,902,084	08/26/1975	May, Jr.	310	8.1	
	f.	2002/0026091	02/28/2002	Leysieffer	600	25	

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## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.